(B)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 2027/2003

PETITIONER : M/s Jeevan Prabhat Offset Printing Press, through sole Proprietor Mr. Bal Krishna Mishra, Aged about 58 years, S/o Late Shri Shivdutt Mishra, Mungeli Road, Bilaspur (C.G.)

- Versus-

RESPONDENTS : 1. Union of India, Through Secretary, Ministry of Law, Shastri Bhawan, R. P. Road, New Delhi.

2. State Bank of India, Through its Branch Manager, Near Manohar Talkies, Juna Bilaspur, Bilaspur (C.G.).

P. R. No. 16/7/03
Presented by Shri Praveen Pant
dated 7/7/03

C/R
7/7/03
Clerk to A.G.
Chhattisgarh

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A SUITABLE WRIT, ORDER OR DIRECTION.

Details of the petition.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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# आदेश पत्रक

मामला क्रमांक W.P. 2027 सन् 2003

विरुद्ध

| आदेश का दिनांक आदेश क्रमांक सहित | आदेश हस्ताक्षर सहित | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
|---|---|---|
| ellar | **DIVISION BENCH:**<br>**HON'BLE SHRI A.S.VENKATACHALA MOORTHY, CJ**<br>**& HON'BLE SHRI FAKHRUDDIN, J.**<br><br>**29/06/2004**: -<br>Shri Prashant Jaiswal, counsel for the petitioner.<br>Shri Vinay Harit, Sr. Standing Counsel for the Union of India, for respondent No.1.<br>Shri R.S.Jaiswal, learned counsel for respondent No.2.<br><br>Following the decision of the Supreme Court in the matter of **Mardia Chemical Ltd. Vs. Union of India (2004 AIR SCW 2541)**, the writ petition stands dismissed.<br><br>However, it is made clear that where a secured creditor has taken action under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 in such cases it would be open to borrowers to file appeals under Section 17 of the Act within the limitation as prescribed therefor, to be counted with effect from today.<br><br>Sd/-<br>Chief Justice<br><br>Sd/-<br>Fakhruddin<br>Judge | |

[पीछे देखिये